



WYOMING DEPARTMENT OF CORRECTIONS

Policy and Procedure #4.104 Youthful Inmates

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Authority: Wyoming Statute(s): 7-1-108; 7-13-1001, <i>et seq.</i> ; 14-6-201, <i>et seq.</i> ; 25-1-104; 25-1-105 PREANS: 115.14 ACA Standard(s): 4-4306; 4-4307; 4-4308; 4-4309; 4-4310; 4-4311; 4-4312; 2-CO-4B-06.		Effective Date: January 15, 2015 Revision/Review History: 01/15/14 01/15/13
Summary of Revision/Review: Updates existing policy pursuant to annual review.		
Cross Reference of Policy: P&P #4.102, <i>Case Management</i>	Supersedes Existing Policy :	
Approved: R.O. Lampert Robert O. Lampert, Director		
12-24-14 Date		

APPROVED FOR INMATE DISTRIBUTION

The policy and procedures set forth herein are intended to establish directives for staff members and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty or property interests for staff members or inmates, or an independent duty owed by the WDOC to staff members, inmates, or third parties. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REFERENCE

1. ATTACHMENTS– None Noted
2. OTHER – None Noted



I. PURPOSE

- A. Management of Youthful Offenders.** The purpose of this policy is to provide guidelines for the management of youthful offenders incarcerated in facilities operated by the Wyoming Department of Corrections (WDOC).

II. POLICY

- A. Adjudicated Youth and Status Offenders.** It is the policy of WDOC to only house adult offenders or minors adjudicated as adults in WDOC facilities pursuant to a valid court order from a court of competent jurisdiction. Adjudicated delinquent offenders and youths charged with offenses that would not be crimes if committed by adults shall not reside in WDOC facilities. (ACA 4-4306)
- B. Youthful Offender Program.** It is the policy of WDOC to provide a Youthful Offender Program (a.k.a. Wyoming Boot Camp Program) for those individuals who meet the qualifications identified in W.S. § 7-13-1001, *et seq.* and who receive a recommendation for the program pursuant to a valid court order from a court of competent jurisdiction.
- C. Management of Youthful Inmates.** It is the policy of the WDOC to provide guidelines for the management of youthful inmates that take into account American Corrections Association (ACA) standards, as well as the requirements of the Prison Rape Elimination Act of 2003 and the resulting Prison Rape Elimination Act National Standards (PREANS).

III. DEFINITIONS

- A. Adjudicated Delinquent Offender:** A minor, under the age of eighteen (18) years old, who has been adjudicated as a juvenile pursuant to Wyoming law and who has been sentenced by a court of competent jurisdiction for violation of the law.
- B. Adult Inmate:** A person sentenced to WDOC who is currently at least eighteen (18) years of age.
- C. Boot Camp Inmate:** A person in late adolescence or early adulthood (*i.e.*, has not attained the age of twenty-five (25) years) who has been convicted of a crime and who is deemed eligible for a special program not available to older offenders that may result in the reduction of sentence upon successful completion of the program.



- D. **Direct Supervision:** *(For this policy only)* Constant supervision by staff, within sight and sound of all youthful inmates present, shall be provided when youthful inmates and adult inmates are together.
- E. **Status Offender:** A youth who engages in conduct that – though not criminal by adult standards – is considered inappropriate enough to bring a charge against the youth in juvenile court.
- F. **Sight and Sound Separation:** *(For this policy only)* Separation to prevent adult inmates from seeing or communicating with youthful inmates outside of the immediate presence of staff.
- G. **Youthful Inmate:** An inmate sentenced to the WDOC who is currently under the age of eighteen (18) but who was adjudicated, tried and sentenced as an adult to be confined in an adult facility.

IV. PROCEDURE

A. **Prohibition against Housing of Youthful Offenders not Tried and Sentenced as Adults in WDOC Facilities**

- 1. In accordance with W.S. § 7-1-108, no minor convicted of a status offense as defined by W.S. § 7-1-107(b) shall be sentenced to a term of imprisonment.
- 2. In accordance with Wyoming law, an adjudicated delinquent offender may only be imprisoned in a juvenile detention facility, including the Wyoming Boys School, the Wyoming Girls School, or other juvenile detention facility as defined by W.S. § 14-6-201(a)(xxiv). No WDOC facility shall be construed to be a juvenile detention facility.
- 3. Except as otherwise provided by statute, adult offenders convicted of a felony and sentenced to a term of imprisonment shall be sentenced to the custody and control of the WDOC to be imprisoned in a state penal institution or facility under contract with the department.

B. **Wyoming Boot Camp Program**

- 1. The Wyoming Boot Camp Program, co-located with the Wyoming Honor Conservation Camp in Newcastle, Wyoming, shall satisfy the requirement of W.S. § 7-13-1001, *et seq.* to establish a youthful offender program. Participation by an inmate in the Boot Camp Program is a matter of grace and not a matter of right. Approval of an inmate's participation in the program may be revoked by WDOC at any time if the inmate fails to



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comply with program requirements. The inmate shall not have any right to appeal the denial of his participation in the program.

- i. While Wyoming statutes refer to the Boot Camp Program as a youthful offender program, this is not the same categorization of offender contemplated by the American Correctional Association (ACA) in its standards referring to “youthful offenders”. ACA standards related to “youthful offenders” pertain to non-adult offenders (*i.e.*, those under the age of 18) who are required by the laws of the jurisdiction to be confined in an adult facility. By statute, both adult inmates and youthful inmates are eligible for recommended placement by the court into the Boot Camp Program.
2. To be eligible for participation in the Boot Camp Program, an inmate shall meet the following requirements:
 - i. The inmate shall be sentenced to a term of imprisonment in a state penal institution for an offense other than a felony punishable by death or life imprisonment;
 - ii. The inmate shall not have attained the age of twenty-five (25) at the time of sentencing;
 - iii. The inmate shall not have previously served a term of incarceration at a state or federal adult penal institution;
 - iv. The inmate shall be recommended to the program by the judge adjudicating his case and the recommendation shall be reflected in writing in the Judgment and Sentence of the court; and
 - v. The inmate shall meet any other condition specified by WDOC for participation in the program.
3. The sentencing court may reduce the sentence of any Boot Camp Offender who is certified by WDOC to have successfully completed the Boot Camp Program and who makes application to the court within one (1) year after the inmate began serving his sentence of incarceration at a state penal institution.
4. Successful completion of the Boot Camp Program shall require completion of all four (4) phases of the one hundred eighty (180) day basic program, including physical, therapeutic, and educational programming. Work ethic instruction shall be given through the teamwork concept, as various work details are conducted throughout each



day. If needed or possible, Boot Camp Offenders shall earn their GED prior to program graduation.

5. Failure to program shall result in dismissal of the Boot Camp Offender from the program and return of the inmate to the general population.
6. Youthful inmates who are placed into the Boot Camp Program shall not have sight, sound, or physical contact with adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters. (PREANS 115.14.a) (ACA 2-CO-4B-06)
 - i. Youthful inmates who are placed into the Boot Camp Program may be housed in a designated housing pod within the Boot Camp separate from other adult Boot Camp participants when staffing, operations, bed space and resources permit.
 - ii. Should conditions not permit the use of a designated Boot Camp housing pod to house youthful inmate(s) separate from adult inmates, the youthful inmate(s) may be housed in temporary housing, or in a designated room or cell within the Boot Camp complex, with sight, sound and physical contact separation from adult inmates when not engaged in structured boot camp programming and activities conducted outside of a shared dayroom or other common space, shower area, or sleeping quarters under the direct supervision of staff.
 - a. WDOC shall make best efforts to avoid placing youthful inmates involved in the Boot Camp Program in isolation to comply with PREA requirements for sight, sound and physical contact separation from adult inmates. (PREANS 115.14.c)
 - b. Although not the preference, housing the youthful inmate in an isolation cell outside the Boot Camp complex which safeguards sight, sound and physical contact separation from adult inmates, during periods of time when the youthful inmate is not engaged in structured boot camp programming and activities conducted under the direct supervision of staff, may be considered as an option to excluding the youthful inmate from Boot Camp Program participation.
 - iii. If sight, sound and physical contact separation cannot be maintained, the youthful inmate will not be accepted into the



WDOC Boot Camp Program and the sentencing court advised of the decision and the reason therefore.

7. Youthful inmates assigned to the Boot Camp Program shall be permitted to participate fully in all other boot camp programming, activities and operations conducted in the aggregate outside of housing units. In areas outside of housing units, whenever youthful inmates and adult inmates have sight, sound, or physical contact, direct staff supervision will be provided at all times. (PREANS 115.14.b)
8. Youthful inmates assigned to the Boot Camp Program shall also be permitted to participate in structured boot camp programming, activities and operations conducted in the aggregate in the boot camp bays, as long as there is direct staff supervision provided inside the bay at all times the youthful inmates and adult inmates are in the same bay.
 - i. Youthful inmates shall not be permitted to engage in idle or leisure time in the boot camp bays, or use the restroom area or shower area in the same housing area as adult inmates.
9. Absent exigent circumstances, youthful inmates assigned to the Boot Camp Program will be given the same access to large-muscle exercise, any legally required special education services, other programs, and work opportunities as adult inmates assigned to the Boot Camp Program to the extent possible. (PREANS 115.14.c)

C. Management of Non-Boot Camp Assigned Male and Female Youthful Inmates

1. Except as authorized within this policy, youthful inmates shall not have sight, sound, or physical contact with adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters. (PREANS 115.14.a) (ACA 2-CO-4B-06) In areas outside of housing units, whenever youthful inmates and adult inmates have sight, sound, or physical contact, direct staff supervision will be provided at all times. (PREANS 115.14.b)
2. If staffing, operations, bed space and resources permit, youthful inmates housed in a WDOC facility shall be housed in a specialized unit for youthful inmates, except when: (ACA 4-4307)
 - i. A violent, predatory youthful inmate poses an undue risk of harm to others within the specialized unit; and/or



- c. Personal property will not be restricted beyond that normally available to inmates housed in intake housing.
 - d. Exercise will be provided in the recreation space adjacent to the isolation cell for at least one hour per day.
 - e. Movement to and from the cell through the segregation area and facility will be under direct staff supervision at all times. Standard procedures relative to restraints for inmates in segregation shall not apply.
 - f. Testing, assessment, and other required intake functions shall be conducted within the intake area to the extent possible, with the youthful inmate under direct staff supervision at all times whenever the youthful inmate is within sight, sound and physical contact of adult inmates.
 - iii. Upon completion of all required intake and processing, youthful inmates shall be transported to a specialized unit for youthful inmates for assignment and housing within WDOC, based upon gender and availability.
 - a. If such housing is not available, consideration shall be given to alternate housing in a county jail, leased facility, juvenile facility, or interstate compact facility that can provide sight, sound and physical contact separation from adult inmates in the least restrictive manner possible through a contract arrangement.
 - b. Youthful inmates housed in alternate housing under this section, shall normally be returned to WDOC for assignment following their attainment of age eighteen (18).
- 4. Youthful inmates housed in a specialized unit shall be directly supervised by staff to ensure their safety and security. (ACA 4-4308)
- 5. Classification and case management plans shall be developed for each youthful inmate in accordance with WDOC Policy and Procedure #4.102, *Case Management*. Special consideration shall be given to determine the level of risk and program needs that are developmentally appropriate for adolescents. Classification and case management plans shall include consideration of physical, mental, social, and educational maturity of the youthful inmate. (ACA 4-4309)



6. Adequate program space shall be provided when needed to meet the physical, social, and emotional needs of youthful inmates. Such space shall allow for personal interactions and group-oriented activities of youthful inmates. (ACA 4-4310)
7. Youthful inmates housed in a specialized unit, other than Boot Camp, shall have no more than incidental sight, sound, or physical contact with adult offenders from outside the unit in living, programming, dining, or other common areas of the facility. Any other sight, sound, or physical contact shall be minimized, brief, and in conformance with applicable legal requirements. (ACA 4-4311; 2-CO-4B-06)
 - i. While sight and sound contact between youthful inmates and adult inmates is to be minimized, incidental contact may be permitted in certain limited situations under the direct supervision of staff, such as when adult offenders who work in the kitchen serve food to youthful inmates.
 - ii. In areas outside of housing units, whenever youthful inmates and adult inmates have sight, sound, or physical contact, direct staff supervision will be provided at all times. (PREANS 115.14.b)
8. Program personnel who work with youthful inmates shall be trained in the developmental, safety, and other specific needs of youthful inmates. Written job descriptions and qualifications for staff specifically assigned to a specialized unit for youthful inmates or for staff who are responsible for programming for youthful inmates shall require specialized training before staff are assigned to work with youthful inmates. The training shall include but not be limited to the following areas: (ACA 4-4312; 2-CO-4B-06)
 - i. Adolescent development;
 - ii. Educational programming;
 - iii. Cultural awareness;
 - iv. Crisis prevention and intervention;
 - v. Legal issues;
 - vi. Housing and physical plant;
 - vii. Policies and procedures;



- viii.** The management of, and programming for, sex offenders;
- ix.** Substance abuse services;
- x.** Cognitive-behavioral interventions, including anger management, social-skills training, problem solving, and resisting peer pressure;
- xi.** Suicide prevention;
- xii.** Nutrition;
- xiii.** Mental-health issues;
- xiv.** Gender-specific issues; and
- xv.** Case management planning and implementation.

V. TRAINING POINTS

- A.** TRUE OR FALSE: Adjudicated delinquent offenders and status offenders shall not be housed in WDOC facilities.
- B.** What is the difference between a Boot Camp inmate and a youthful inmate?
- C.** What are the eligibility requirements for participation in the Boot Camp Program?
- D.** TRUE OR FALSE: Youthful inmates are generally to be housed in a specialized unit with sight, sound and physical contact separation from adult offenders.
- E.** What are some of the areas of specialized training that are required of staff working in a specialized unit for youthful inmates?